

REMARKS

Claims 13-30 are now pending and stand rejected in the application. With this reply, Applicants amend claims 13, 14, 18, 22, 23, and 27. Upon entry of the amendments claims 13-30 remain pending.

Support for the amendments is found in the specification as originally filed. Support for the amendment to claim 13 is found, for example, in paragraph [0033]. Support for the amendment to claim 14 is found, for example, in paragraphs [0032] and [0033]. Support for the amendment to claim 22 is found, for example, in paragraph [0031]. Support for the amendment to claim 23 is found, for example, in paragraph [0033]. Claim 18 is amended for clarity without adding new matter. Claim 27 is amended to provide proper antecedent basis. No new matter is added. Applicants respectfully request entry of the amendments.

AMENDMENTS TO THE SPECIFICATION

Applicant have amended paragraph [0038] of the specification to correct a typographical error. No new matter is added. Applicants respectfully request entry of the amendment.

REJECTION OVER THE KRUEGER REFERENCE

Claims 13-16 are rejected under 35 U.S.C. 102(b) as anticipated by the Krueger reference (U.S. Patent No. 4,552,714). Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

The Krueger reference does not disclose the two-layer A-B composite of the amended claims. Applicants have amended claim 13 to make it clear that the co-extruded A-B composite sheet in fact contains two layers, those being layer A and layer B. As noted in the Office Action, the Krueger reference shows a co-extruded plastic film that has an adhesive layer between

polypropylene and nylon layers.

The reference also fails to show an expendable layer as recited in the claims. As shown in Figure 3, the plastic film of the reference contains three layers – i.e., polypropylene 12 and nylon 16 layers with an adhesive layer 14 between them. According to the reference, there is an “inseparable bond” between the polypropylene and the adhesive layer. Column 2, lines 20-24. Because the bond is inseparable, it cannot be said that the layer 12 of the film of Figure 1 is an expendable polymeric layer as recited in the rejected claims.

For the reasons, Applicants respectfully request that the rejection as applied to the amended claims be withdrawn.

REJECTION OVER THE OHYA REFERENCE

Claims 13 and 17 are rejected under 35 U.S.C. 102(b) as anticipated by the Ohya reference (U.S. Patent No. 4,567,090). Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

The reference does not disclose the two-layer co-extruded A-B composite sheet of the claims. As noted in the Office Action, the laminate film of the reference is produced by co-extruding seven resin layers in the order of A/B/C/D/C/B/A. Layer A is a polypropylene. Layers B and C are adhesive layers. Layer D is a barrier layer. The reference does not disclose a two-layer co-extruded sheet as recited in the amended claims. Accordingly, Applicants respectfully request the rejection as applied to the amended claims be withdrawn.

REJECTION OVER THE ZABROCKI REFERENCE

Claims 13, 17, 22 and 26 are rejected under 35 U.S.C. 102(b) as anticipated by the Zabrocki reference (U.S. Patent No. 5,334,450). Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

Claim 13 has been amended to incorporate the subject matter of claim 14. Claim 14 is not subject to the anticipation rejection. For this reason, Applicants respectfully submit that claims 13-21 (including rejected claim 17) are patentable over the reference.

As to rejected claim 22 (and its dependent claim 26), the reference does not disclose or suggest a three-layer A-B-A composite sheet where the A layers are expendable polymeric layers and B is an adhesive layer. As seen in Figure 1 of the reference, the reference shows a three-layer composite wherein a first layer is a weatherable rubber, a second layer is a tie layer, and a third layer is a thermoplastic adhesive. Applicants respectfully submit that the reference does not disclose an extruded composite sheet having two expendable polymeric layers A bonded to an internal thermoplastic layer.

For the above reasons, Applicants submit the amended claims are patentable over the reference. Accordingly, Applicants respectfully request the rejection be withdrawn.

REJECTION OVER THE KORPMAN REFERENCE

Claims 13 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Korpman reference (U.S. Patent No. 4,379,806). Applicants respectfully traverse the rejection and request reconsideration.

The Korpman reference does not disclose a two-layer co-extruded sheet where one layer is expendable polymer layer and the other layer is an adhesive layer. In particular, the reference does not disclose any structure containing an expendable polymeric layer as claimed. To the

contrary, the applications of Korpman (pressure sensitive adhesive tapes, such as used for bandages) are known not to contain an expendable layer.

The expendable polymeric layer of the claims is described, for example, in paragraph [0032] :

“[0032] The polymeric expendable material is an extruded sheet produced from a thermoplastic polymer or blend of polymers having an advantageous combination of adhesive properties. The thermoplastic polymer should form a sheet that has sufficient adhesion to the adhesive layer to form a unitary co-extruded sheet that may be readily handled and used in the processes of the invention. On the other hand, the adhesion of the thermoplastic polymer to the adhesive layer should not be so great as to prevent its being readily removed when required. As a general rule, preferred thermoplastics for forming the expendable layer will be relatively low in polar groups that would tend to promote adhesion to the preferred thermoplastic polyurethane adhesive layers.”

As claimed, the expendable layer is readily removable from the adhesive layer. Advantage is taken of this adhesive property of the expendable layer in the glazing inventions disclosed, but not currently claimed.

The Korpman reference, on the other hand, states that the goal of the inventions described there is to provide backings with adhesive layers that do not separate from the backing. For example at column 1, lines 51-62, the reference states:

“According to the present invention, pressure sensitive adhesive films and tapes may be realized...the adhesive layer is uniform and coextensive with a backing layer and...the adhesive may be securely retained on the backing without a primer, even when the backings are of polyolefins or plasticized vinyl to which anchoring of an adhesive layer is extremely difficult.” (Emphasis added)

The reference goes on to describe how the adhesive layer is applied to the backing in an interlocking fashion, for example at column 2, lines 15-27:

“The pressure sensitive adhesive film back tapes of this invention are produced in a single step process of laminar

extrusion of a thermoplastic film forming polymer composition and a thermoplastic rubber resin adhesive composition, in such a way, that the film forming polymer composition and the adhesive composition...intermingle in a controlled penetration at the interface during the extrusion to form an interlocking layer between the thermoplastic backing layer and the adhesive layer." (Emphasis added)

The teachings of the reference are useful as pressure sensitive film backed tapes particularly for use in surgical and in industrial applications. See column 1, lines 7-11. It is clear from the above passages that the Korpman reference does not disclose or suggest the expendable layer of the A-B composite co-extruded sheet of the rejected claims.

When the reference is read in its entirety, it is seen that it does not anticipate the subject of the current claims. For this reason, Applicants respectfully request that the rejection be withdrawn.

REJECTIONS OVER THE KATSUKI REFERENCE

Claims 13, 14, 16-18, 20-23, 25-27, and 30 are rejected under 35 U.S.C. § 103(a) as anticipated, or in the alternative, obvious over the Katsuki reference (U.S. Patent No. 4,427,743). The rejection is maintained for substantially the same reasons as set forth in the April 3, 2006 Office Action. Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

As developed by Applicants in their previous responses, the claim language of an "A-B sheet" (claim 13) and an "A-B-A composite sheet" (claim 22) recite structure that distinguishes the claimed invention from the disclosure of the Katsuki reference. As acknowledged in the Office Action, the Katsuki reference discloses a five layer composite. Applicants maintain their position that the original claims distinguish over the five layers composite by virtue of the original claim language.

However, in the interest of advancing prosecution, Applicants have amended claims 13 and 22 to further clarify the difference between the claimed invention and the teachings of the reference. Specifically, claim 13 has been amended to explicitly state that the co-extruded A-B composite sheet has two layers, while claim 22 has been amended to explicitly state that the co-extruded A-B-A composite sheet has three layers. For these reasons, and the reasons set forth in prior prosecution, Applicants respectfully submit that the claims distinguish over the Katsuki reference. Accordingly, Applicants respectfully request that the rejections be withdrawn.

Claims 15, 19, 24, and 28 are rejected under 35 U.S.C. 103(a) as obvious over the Katsuki reference and further in view of the Friedman reference (U.S. Patent 6,159,608). The rejections are substantially the same as those set forth in the April 3, 2006 Office Action. Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

Based on the amendments to claims 13 and 32, and in view of the remarks above and in prior prosecution, Applicants respectfully submit that the deficiencies of the Katsuki reference as applied to the rejected claims are not overcome by the Friedman reference. Accordingly, Applicant respectfully requests the obviousness rejection of claims 15, 19, 24, and 28 be withdrawn.

CONCLUSION

For the reasons discussed above, Applicants respectfully submit that claims 13-30 as amended are in an allowable state. Further and favorable consideration is earnestly solicited. The Examiner is invited to telephone the undersigned if that would be helpful to resolving any issues.

Respectfully submitted,

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